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*[SEE SIGNATURE PAGE FOR ADDITIONAL  
COUNSEL LISTING]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

OPTIMUMPATH, L.L.C.,

Plaintiff,

vs.

BELKIN INTERNATIONAL, INC.,  
BUFFALO TECHNOLOGY (USA), INC.,  
CISCO-LINKSYS L.L.C., COMPEX INC.,  
D-LINK SYSTEMS, INC., NETGEAR, INC.  
and SMC NETWORKS, INC.,

Defendants.

CASE NO. 4:09-CV-1398-CW

**JOINT MOTION TO AMEND CASE  
MANAGEMENT ORDER**

Plaintiff, OptimumPath, L.L.C. and Defendants Belkin International, Inc., Buffalo  
Technology (USA), Inc., Cisco-Linksys L.L.C., Compex, Inc., D-Link Systems, Inc., NETGEAR,  
Inc. and SMC Networks, Inc. (collectively, "the Parties") hereby jointly move to amend the  
Court's Case Management Order (Docket No. 156). On October 7, 2009, the Parties filed a Joint

1 Motion to Extend Deadline to Comply with Patent Local Rule 4-2 (Docket No. 161), which the  
 2 Court granted on October 13, 2009 (Docket No. 163). In that motion, the Parties noted that they  
 3 “were currently in discussions about seeking further extensions of certain claim construction  
 4 deadlines currently set forth in the Case Management Order.” (Docket No. 161, p. 2). The Parties  
 5 have now reached agreement as to further extensions of those deadlines and respectfully request  
 6 that the Court modify the Case Management Order as follows:

Case Management Item	Current Deadline	New Deadline
Exchange of preliminary claim constructions and preliminary identifications of extrinsic evidence (Pat. L.R. 4.2.a-b.1):	10/15/09	12/15/09
Deadline to amend pleadings to add claims	10/26/09	1/25/10
Joint claim construction and prehearing chart (Pat. L.R. 4.3)	11/06/09	1/15/10
Completion of claim construction discovery (Pat. L.R. 4.4)	12/07/09	3/15/10

14 The parties are stipulating to these extensions to allow for more time to prepare  
 15 preliminary claim constructions and conduct claim construction discovery. The extension of these  
 16 deadlines will not affect any other dates currently set forth in the Court’s Case Management Order,  
 17 including the date for the claim construction hearing, which is currently set for February 17, 2011.

18 Therefore, the Parties respectfully request that the Court amend the Case Management  
 19 Order as set forth above.

20 Respectfully submitted,

1 DATED: October 15, 2009

GOLDSTEIN, FAUCETT & PREBEG, LLP

2  
3 By /s/

Edward W. Goldstein

4 Counsel for Plaintiff OptimumPath, L.L.C.

5 DATED: October 15, 2009

QUINN EMANUEL URQUHART OLIVER &  
6 HEDGES, LLP

7  
8 By /s/

Carl Anderson

9 Attorneys for Defendants

10 Belkin International, Inc., Cisco-Linksys LLC,

11 D-Link Systems, Inc. and NETGEAR Inc.

1 DATED: October 15, 2009

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11 Attorneys for Defendants

12 Buffalo Technology (USA), Inc., and

SMC Networks, Inc.

13 DATED: October 15, 2009

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25 DATED: October 15, 2009

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Attorneys for Defendant  
Compex, Inc.

I attest that SMC Networks, Inc., Buffalo Technology (USA), Inc., and Compex, Inc have  
authorized me to sign electronically this document on their behalf.

Dated: October 15, 2009

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

By: /s/

Carl. G. Anderson